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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
DYER, Wallace K.)
Serial No. 09/943,138) Art Unit: 1639
Filed: August 30, 2001) Examiner: EPPERSON, Jon D.
For: Methods and Compositions for)
Tissue Augmentation)


Certificate of Facsimile Transmission

I, the undersigned, certify that the documents identified below are being transmitted to the United States Patent and Trademark Office in connection with the above-identified application on this date, November 29, 2004. The documents are addressed to Commissioner for Patents and are being sent to facsimile number 703-872-9306.

- ☒ Response to Office Action, mailed July 27, 2004. (7 pages)
- ☒ Change in Status (2 pages)
- ☒ Certificate of Facsimile Transmission (this sheet)
- ☒ Fee Transmittal, 1 page
- ☒ Petition for One-Month Extension of Time, 2 pages

Total Sheets submitted: 13

November 29, 2004
Date


Mary Anthony Merchant, Ph.D.
Reg. No. 39,771

1407713_1 DOC

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PTO/SB/17 (10-03-v2)

Approved for use through 07/31/06 OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2005**

Effective 01/01/03, patent fees are subject to annual revision

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$570.00 (Deposit Account))****Complete if Known**

Application Number	09/943,138
Filing Date	August 30, 2001
First Named Inventor	DYER, Wallace K.
Examiner Name	EPPERSON, Jon D.
Art Unit	1639
Attorney Docket No	DYER2

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order☒ Deposit Account:Deposit
Account
Number
20-1507Deposit
Account
Name
TROUTMAN SANDERS LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee in the
 above-identified deposit account
FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Large Fee (\$)	Small Fee Code	Small Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from Fee Paid

Total Claims		- 20** =		X		=	
Independent Claims		- 3** =		X		=	
Multiple Dependent						=	

Large Fee Code	Large Fee (\$)	Small Fee Code	Small Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Large Fee (\$)	Small Fee Code	Small Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	30	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for a patent examination	
1804	920*	1804	920*	Requesting publication of AIR after Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of AIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	\$110.00
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - (non-volatile)	
1453	1,370	2453	685	Petition to revive - (unintentional)	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	2460	130	Periods to the Director	
1807	50	2807	50	Processing fee under 37 CFR 1.17(a)	
1806	180	2806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (minus number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Change in Small Entity Fees Owed					\$460.00
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					570.00

SUBMITTED BY

Name (Print/Type) Mary Anthony Merchant, Ph.D.

Registration No (Attorney/Agent) 30,771

Telephone 404-885-3652

Signature

Date

November 29, 2004

WARNING: Information of this may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1407789-1

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In re application of:)	
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DYER, Wallace K.)	
)	Art Unit: 1639
Serial No.: 09/943,138)	
)	Examiner: EPPERSON, Jon D.
Filing Date: August 30, 2001)	
)	Docket No.: DYER2
For: METHODS AND COMPOSITIONS)	
FOR TISSUE AUGMENTATION)	

CHANGE IN SMALL ENTITY STATUS

November 29, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Commissioner:

Small entity status for the above-referenced patent application was established in good faith and small entity fees were paid in good faith. Applicant's counsel has recently become aware that small entity status for the above-referenced patent application was established in error. Accordingly, Applicant hereby notifies the Office of the error in establishment of small entity status by complying with the requirements of 37 C.F.R. § 1.28 (c)(1) and (2).

The following table itemizes the fees paid as a small entity, the date the fees were paid, the current large entity fee for each fee paid, and the difference in fees to be paid.

Fees Paid for U.S. Patent Application 09/943,138				
Date Fee Paid	Reason for Fee	Small Entity Fee Paid	Current Large Entity Fee	Difference Owed
5-13-2004	RCE Fee	\$385.00	\$790.00	\$405.00
5-13-2004	Extension of Time Fee for Filing RCE	\$55.00	\$110.00	\$55.00
Total Outstanding Fees for U.S. Patent Application 09/943,138				\$460.00

Applicant authorizes the payment of the deficit amount of \$460.00, for the difference in small and large entry fees, to be deducted from Deposit Account 20-1507. In the event the Commissioner determines any additional fees are due, the Commissioner is authorized to charge the requisite fees to Deposit Account 20-1507.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mary A. Merchant', with a stylized flourish at the end.

Mary Anthony Merchant, Ph.D.

Reg. No. 39,771

Troutman Sanders LLP
600 Peachtree Street, N.E.
Suite 5200
Atlanta, Georgia 30308-2216
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